

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Herve A. Fevrier, et al.
Serial No.: 10/007,086
Filed: December 6, 2001
Group No.: 2874
Examiner: John D. Lee
Notice of Allowance Mailed: December 23, 2003
Confirmation No.: 3180
Title: METHOD AND APPARATUS FOR OPTICAL ELEMENT MANAGEMENT

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Applicants appreciate the Examiner's allowance of Claims 1-56. Pursuant to 37 C.F.R. § 1.104, Applicants respectfully issue a statement commenting on the Examiner's reasons for allowance. Applicants respectfully disagree with the Examiner's reasons for allowance to the extent that they are inconsistent with applicable case law, statutes, and regulations. Furthermore, Applicants do not admit to any characterization or limitation of Claims 1-56 or to any characterization of a reference by the Examiner, particularly any that are inconsistent with the language of the claims considered in their entirety and including all of their constituent limitations.

The Examiner stated that Stephens et al does not teach or suggest a "correlation history (or link history) of correlated values." Applicants note that the terms "correlation history" and

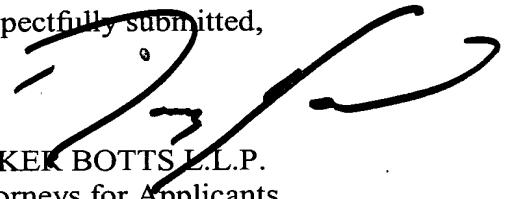
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“link history,” which are recited in different independent claims, are not coextensive in scope. Applicants understand that the Examiner’s shorthand reference to these two concepts in the same sentence was merely intended to illustrate two separate concepts (which are recited in different independent claims) that are not taught or suggested by the Stephens reference. Applicants further understand that the Examiner’s comment with respect to Stephens’ use of independent memories for each element responds directly to Applicant’s remarks in their October 14, 2003 Response to Office Action, which refer specifically and solely to independent claims 20 and 48.

Applicants amended Claims 1, 20, 28, 31, 35, and 48 in the October 14, 2003 Response to Office Action in order to advance prosecution of this Application. However, Applicants have not indicated that Claims 1-56 as originally presented are unpatentable over the *Stephens* reference. As such, Applicants reserve the right to file a continuation application which contains Claims 1-56 as originally presented.

Respectfully submitted,

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Date: 3-22-04

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Dear Sir:

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that the attached Issue Fee Transmittal (PTOL-85) and Comments on Allowance are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on this 22nd day of March 2004 addressed to Mail Stop ISSUE FEE, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Willie Jiles
Willie Jiles

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